761551N25A - SH-AD (11/90)



DATE: May 9, 2003

OFFICE CORRESPONDENCE

FILE:

FROM: MICHAEL G. SAVIDAN, COMMANDER
LEADERSHIP & TRAINING DIVISION

TO: CECIL RHAMBO, CAPTAIN
COMPTON STATION

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS USE OF FORCE, NOVEMBER 21, 2002, REVIEW #2076926**

The purpose of this memo is to notify you of the review committee's findings and recommendations concerning the use of force incident which occurred on November 21, 2002.

The Committee met on May 8, 2003, and consisted of myself and Commanders Lynda Castro (Commander of the Department) and Dennis Burns (Custody Operations Division). The Committee determined that the use of force by Deputies Joseph Iberri #[redacted], Max Fernandez #[redacted], Walter Solis #[redacted] and Gabino Gasataya #[redacted] was within Department policy. **Please advise the deputies of this finding.**

The Committee further directed the Unit Commander conduct a tactical debriefing with the involved employees and consider sending the employees to further tactical training.

MGS:KRK:kk

761551N25A - SH-AD (11/90)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

DATE: May 9, 2003

OFFICE CORRESPONDENCE FILE:

FROM: MICHAEL G. SAVIDAN, COMMANDER
CHAIRPERSON, EXECUTIVE FORCE
REVIEW COMMITTEE

TO: JOSEPH IBERRI, DEPUTY
COMPTON STATION
MAX FERNANDEZ, DEPUTY
COMPTON STATION
WALTER SOLIS, DEPUTY
COMPTON STATION
GABINO GASATAYA, DEPUTY
COMPTON STATION

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS USE OF FORCE, NOVEMBER 21, 2002, IAB REVIEW #2076926**

The purpose of this memo is to notify you of the review committee's findings and recommendations concerning the use of force incident which occurred on November 21, 2002.

The Committee met on May 8, 2003, and consisted of myself, and Commanders Lynda Castro (Commander of the Department) and Dennis Burns (Custody Operations Division). The Committee determined that your use of force in this incident was within Department policy. Your Unit Commander will be discussing the Committee's findings with you in the near future.

If you have any questions regarding this matter, please contact your Unit Commander.

cc: Michael Nagaoka, Chief
FOR II
Cecil Rhambo, Captain
Compton Station

MGS:KRK:kk

TABLE OF CONTENTS

Los Angeles County Sheriff's Department
Supervisor's Report on Use of Force

Incident Information

URN:	402-18067-2846-241	Date:	November 21, 2002	Time:	1600 Hours
Location:	[redacted] Harris Avenue				
City or Station:	Compton				
Bureau/Station/Facility:	Compton Sheriff's Station	Admin. Investigation:	YES ☐ NO ☒		

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	55	[redacted]

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	[redacted]	Same

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	40	[redacted]

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	N/A	[redacted]

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]		47	[redacted]

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	N/A	None Provided

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Rodriguez	John		Sgt.	YES ☐ NO ☒	YES ☐ NO ☒
[redacted]	Parker	Gary		Sgt.	YES ☐ NO ☒	YES ☐ NO ☒

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Cummins	Jerry	

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Dendo	Matthew	

Watch Commander's Signature: ______________________ Emp #: __________

Copy Provided to Employee by: ______________________ Emp #: __________

Supervisor Completing Form: Joseph M. Gooden, (Print) Emp #: [redacted]

Unit Commanders Signature: ______________________ Emp #: __________ Date Signed: __________

PSTD Use Only

FO# 2076926

Original: Unit Commander
Copy: P.S.T.D.Headquarters, Employee

SH-R-438 Rev. 10/98

See Reverse

Supervisor's Report on Use of Force

URN: 402-18067-2846-241

Method

- (AW) Arwen
- (BC) Baton: (Control)
- (BI) Baton: (Impact)
- (BF) Bodily Fluids
- (CN) Canine
- (CR) Carotid Restraint
- (CH) Choke Hold
- (CT) Control Holds: (Control Techniques)
- (TT) Control Holds: (Team Takedown)
- (TD) Control Holds: (Takedown)
- (CE) Chemical
- (OC) Chemical Agents (OC Spray)
- (TG) Chemical Agents (Tear Gas)
- (EX) Explosives
- (FH) Firearm (Handgun)
- (FR) Firearm (Rifle)
- (FS) Firearm (Shotgun)
- (FO) Firearm (Other)
- (FB) Flashbang
- (FL) Flashlight
- (OE) Other Weapon: Edged
- (OV) Other Weapon: Vehicle
- (OB) Other Weapon: Blunt Object
- (OO) Other Weapon: Other
- (PK) Personal Weapon: Feet/Leg: (Kick)
- (PS) Personal Weapon: Feet/Leg: (Sweep)
- (PH) Personal Weapon (Hand/Arm)
- (PP) Personal Weapon (Push)
- (PO) Personal Weapon (Other)
- (RS) Resistance
- (CN) Restraint Device (Capture Net)
- (RH) Restraint Device (Handcuffs)
- (HB) Restraint Device: Hobble (Legs Only)
- (TP) Restraint Device: Hobble (TARP)
- (RE) Restraint Device: REACT Belt
- (SP) Sap
- (SH) Shield
- (SG) 37mm Stinger
- (SB) Sting Ball
- (ST) Stun Bag
- (TR) Taser
- (UC) Uncooperative

Type of Injury

- (AB) Abrasion
- (BR) Bruise
- (BU) Burn
- (CP) Complaint of Pain
- (CO) Concussion
- (DH) Death
- (DI) Dislocation
- (DB) Dog Bite
- (FR) Fractures
- (GS) Gunshot
- (HB) Human Bite
- (LC) Lacerations
- (ND) Nerve Damage
- (OD) Organ Damage
- (PA) Paralysis
- (PW) Puncture Wound
- (SD) Soft Tissue Damage
- (ST) Sprain/Twists
- (UN) Unconscious
- (RM) Refused Med Treatment
- (NN) NONE

Body Part Injured

- (AD) Abdomen
- (AK) Ankle
- (AR) Arm
- (BK) Back
- (BT) Buttocks
- (CH) Chest
- (EL) Elbow
- (FA) Face
- (FE) Feet
- (FI) Fingers
- (GE) Genitals
- (GR) Groin
- (HD) Hands
- (HE) Head
- (HI) Hip
- (IN) Internal
- (KN) Knees
- (LE) Leg
- (NK) Neck
- (NO) Nose
- (SH) Shoulder
- (WR) Wrist

FORCE APPLIED ***(Only One Code Per Block)***

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	PO	NN	AR
S#1	E#1thru E#4	RS	NN	NN
E#1	S#1	PH,FL	BR,CP,SD	AD,EL
E#2	S#1	PH	BR,CP,SD	FA
E#3	S#1	OC,PH	BR,CP,SD	FA
E#4	S#1	PK	BR,CP,SD	AD

See Front Side

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE INFORMATION

URN: 402-18067-2846-241

Involved Employee

E1

Employee #	Last Name	First Name	Middle Name
[redacted]	Iberri	Joseph	M.

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☒ Male ☐ Female	Hispanic	Compton Sheriff's Station	Unit #284

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	30	5-09	190

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case #	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☒

E2

Employee #	Last Name	First Name	Middle Name
[redacted]	Fernandez	Max	O.

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☒ Male ☐ Female	Hispanic	Compton Sheriff's Station	Unit #287

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	27	5-08	190

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☒

E3

Employee #	Last Name	First Name	Middle Name
[redacted]	Solis	Walter	A.

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☒ Male ☐ Female	Hispanic	Compton Sheriff's Station	Unit #281T1

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	29	5-11	175

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case#	Directed Force / Significant Force
☒			Directed Force ☐ Significant Force ☒

E4

Employee #	Last Name	First Name	Middle Name
[redacted]	Gasataya III	Gabino	R.

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☒ Male ☐ Female	Filipino	Compton Sheriff's Station	Unit #282N2

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	31	5-08	170

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☒

E_

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☐ Male ☐ Female			

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☐ Male ☐ Female			

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case#	Directed Force / Significant Force
☐			Directed Force ☐ Significant Force ☐

Supervisor's Report on Use of Force
SUSPECT INFORMATION

URN: 402-18067-2846-241

Suspect Information

S1

Last Name: Guzman			First Name: John			Middle Name: Castro	
AKA Last Name			First Name			Middle Name	
Sex: ☒ Male ☐ Female	Race: Hispanic	Street Address: [redacted]		City: [redacted]		State & Zip Code: [redacted]	
Work Phone: N/A	Home Phone: N/A	Age: 27	Height: 5-10	D.O.B. 11/13/1975	Weight: 175	Armed? ☐	
Booking #: 7489570	Primary Charge: 23152 CVC		Secondary Charge: Hit & Run			Criminal History [redacted]	
Hospital Admission? ☒	Rec'd Treatment At: Saint Francis Hospital			Coroner Case#:		Mental History ☐	
Under Influence: ☒ YES ☐ NO Substance: Alcohol BAC [redacted]				Photos of Suspect's Injuries ☒ YES ☐ NO			

Suspect Interview

Date:	Time:		
November 21, 2002	1750 Hours	Audiotape: ☐	Videotape: ☒

Suspect Information

S_

Last Name			First Name			Middle Name	
AKA Last Name			First Name			Middle Name	
Sex: ☐ Male ☐ Female	Race:	Street Address:		City:		State & Zip Code:	
Work Phone:	Home Phone:	Age:	Height:	D.O.B.	Weight:	Armed? ☐	
Booking #:	Primary Charge:		Secondary Charge:			Criminal History ☐	
Hospital Admission? ☐	Rec'd Treatment At: By Paramedics at scene			Coroner Case#:		Mental History ☐	
Under Influence: ☐ YES ☐ NO Substance:				Photos of Suspect's Injuries ☐ YES ☐ NO			

Suspect Interview

Date:	Time:		
		Audiotape: ☐	Videotape: ☐

Suspect Information

S_

Last Name			First Name			Middle Name	
AKA Last Name			First Name			Middle Name	
Sex: ☐ Male ☐ Female	Race:	Street Address:		City:		State & Zip Code:	
Work Phone:	Home Phone:	Age:	Height:	D.O.B.	Weight:	Armed? ☐	
Booking #:	Primary Charge:		Secondary Charge:			Criminal History ☐	
Hospital Admission? ☐	Rec'd Treatment At:			Coroner Case#:		Mental History ☐	
Under Influence: ☐ YES ☐ NO Substance:				Photos of Suspect's Injuries ☐ YES ☐ NO			

Suspect Interview

Date:	Time:		
		Audiotape: ☐	Videotape: ☐

See Other Side

INVESTIGATIVE SUMMARY
USE OF FORCE
IAB FO2076926
402-18067-2846-241

On Thursday, November 21, 2002, Sergeants Joseph Gooden and Jerry Greene of the Internal Affairs Bureau (IAB), were notified of a significant use of force incident involving Compton Station personnel. It was reported that Deputy personnel from Compton Station responded to a "Felony Hit and Run" call where Suspect Guzman fled from the scene. After Compton personnel established a containment of the area, Suspect Guzman was located a short distance away. At this point, Suspect Guzman was taken to the ground where he struggled with Compton personnel. While on the ground, Suspect Guzman was struck several times in the face and upper body. As a result of being struck, Suspect Guzman sustained cuts and bruises to his face, body and a head injury which required hospitalization. Captain Cecil Rhambo and IAB Lieutenant Stacy Lee also responded to the scene.

INVOLVED PERSONNEL:

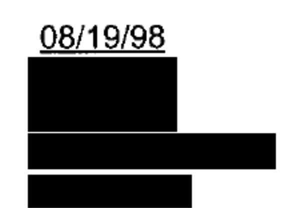
IBERRI, Joseph, Deputy Sheriff, #[redacted], Compton Sheriff's Station, 284/PM's.
FERNANDEZ, Max, Deputy Sheriff, #[redacted], Compton Sheriff's Station, 287/PM's.
SOLIS, Henry, Deputy Sheriff, #[redacted] Compton Sheriff's Station, 281T3/PM's.
GASATAYA, Gabino, Deputy Sheriff, Compton Sheriff's Station, 282N2.

EMPLOYEE WORK HISTORY:

IBERRI, Joseph

Date of Employment:	11/08/94
Date assigned to Patrol:	[redacted]
Completed Patrol Training:	
Prior Shooting Incidents	One
Prior Founded Force Incidents	[redacted]

FERNANDEZ, Max

Date of Employment:	08/19/98
Date assigned to Patrol:	 [redacted]
Completed Patrol Training:	
Prior Shooting Incidents	[redacted]
Prior Founded Force Incidents	[redacted]

SOLIS, Walter

Date of Employment:	01/12/98
Date assigned to Patrol:	[redacted]
Completed Patrol Training:	
Prior Shooting Incidents	[redacted]
Prior Founded Force Incidents	[redacted]

GASATAYA, Gabino

Date of Employment:	10/01/98
Date assigned to Patrol:	[redacted]
Completed Patrol Training:	
Prior Shooting Incidents	[redacted]
Prior Founded Force Incidents	[redacted]

SUSPECT(S):

GUZMAN, John Castro Guzman MH/27 D.O.B, 11-13-1975 Booking #7489570
See Exhibit H for Suspect Guzman's Criminal History.

WITNESSES:

[redacted]

Dr. [redacted], Emergency Room Physician, Saint Francis Medical Center

INJURIES:

Suspect Guzman's injuries consisted of abrasions, bruises and cuts to his face. His nose had a ½ laceration on its bridge and his forehead and eyes were red and swollen. It was also revealed that Suspect Guzman was suffering from internal head trauma, as he was unconscious and unresponsive in the hospital. His back revealed several areas of redness and appeared to be bruised. The left lower portion of his stomach had two, 2" lacerations. His chest also had several abrasions and cuts. Suspect Guzman was treated at the emergency room of Saint Francis Medical Center by Dr. [redacted].

PHYSICAL EVIDENCE:

None.

INVESTIGATORS' OBSERVATIONS:

The area where the suspect was taken into custody was the front yard of [redacted] Harris Avenue. The area is covered with grass. The front yard and the general area where the suspect was taken down were free of any other debris.

WEAPONS USED BY DEPUTY PERSONNEL:

"Streamlight" flashlight
Personal weapons (hands, fists and feet)

WEAPONS USED BY SUSPECT:

None

PROPERTY DAMAGE:

None.

CRIMINAL INVESTIGATOR/CHARGES FILED:

INVESTIGATOR'S NAME:	Detective Russell Townsley, #[redacted]
COURT:	Compton Court
CHARGES:	Driving While Intoxicated, Reckless Driving, Hit and Run and Evading
CASE NUMBER:	To Be Determined (02/24/2003)
STATUS:	Case was submitted to the Los Angeles County District Attorney's Office on January 23, 2003. According to Detective Townsley, the felony counts of Driving While Intoxicated, Reckless Driving, Hit and Run and Evading were not sought. Detective Townsley indicated that the District Attorney's office would not file the felony sections so the case was filed as a misdemeanor.

LIGHTING AND WEATHER CONDITIONS:

The weather was warm, dry and clear. The sun provided exterior lighting.

INVOLVED EMPLOYEES' STATEMENTS:

Deputy Joseph Iberri told Internal Affairs Bureau investigators that on November 21, 2002, he and his partner, Deputy Garcia were assigned to Compton Sheriff's Station as Unit 284. At approximately 1600 hours, they received a radio call of a traffic collision with injuries. A short time later, the radio call was updated to a "Felony Hit and Run" call. When he and his partner arrived at the scene, Deputy Iberri recalls that Deputy Fernandez had already arrived at the scene. Deputy Iberri contacted Deputy Fernandez, who told him that he had received information from several citizens that the suspect had fled north in his car.

After receiving the initial information from Deputy Fernandez, Deputy Iberri instructed Deputy Garcia to assist with the traffic collision. While Deputy Garcia assisted with the traffic collision, he and Deputy Fernandez contacted a witness ([redacted] F/B, [redacted]

[redacted] Ms. [redacted] did not witness the accident, but was at the scene where the suspect parked and fled from his vehicle. She told them that she may be able to identify the suspect's vehicle. Ms. [redacted] also provided them with a brief description of the suspect. She described him as a male Hispanic. Ms. [redacted] was placed in the back seat of Deputy Fernandez' radio car and they drove north on Holly in an attempt to locate the suspect or the suspect vehicle. After traveling a short distance, Ms. [redacted] spotted the suspect vehicle in front of [redacted]. Ms. [redacted] told them that the suspect left his car there and fled on foot. She said that he fled through the backyards of the homes. Deputy Iberri said while Deputy Fernandez talked to several of the residents, he and Deputy Solis started walking through the backyards to see if the suspect was possibly hiding in one. As they were walking through the backyards, he recalls several residents telling them that the suspect ran east through the yards and then over several fences. Several of the residents also told them that the suspect ran east through an east/west alley, which is east of Locust Avenue, and north of Compton Boulevard. He and Deputy Solis continued tracking the suspect from the point the residents last saw him.

As they were walking down the alley, about midway, Deputy Solis yelled, "Hey there he goes." Deputy Solis saw the suspect running south across Compton Boulevard. As the suspect ran south across Compton, he ran into a Mexican restaurant on the corner of Thorson Avenue and Compton Boulevard (2200 E. Compton Blvd., "Mi Estrellita"). After seeing the suspect run into the restaurant, Deputy Iberri and Deputies Solis and Fernandez (Deputy Fernandez had rejoined them at this point) crossed the street and approached the restaurant. As they entered the restaurant, they immediately saw several of the patrons pointing toward the back door and indicating that the suspect had exited through it. When they exited the restaurant, several individuals who were standing outside the restaurant indicated that the suspect had run east from Thorson toward Harms Avenue. Deputy Iberri said that they continued tracking the suspect by running east.

At this time, Deputy Gasataya joined the group in their search for the suspect. They continued to track the suspect through several backyards. Their searches lead them over fences and through alleys. As they were walking through the alley adjacent to Harris Avenue, they spotted the suspect on a side of a house. As they approached the suspect, he jumped the fence and landed in the front yard of [redacted] Harris Avenue. As they approached him, he could see that the suspect was attempting to force his way into the house. The suspect was "pulling" and "yanking" at the front door. Deputy Iberri said that he yelled to the suspect several times to stop, lie down, and display his hands. The suspect ignored his orders and continued pulling at the door trying to gain entry.

> ***Investigator's Note:*** The suspect was later identified as John Castro Guzman MH/27 D.O.B, 11-13-1975

Deputy Iberri stated that at this point he decided to approach Suspect Guzman in an attempt to handcuff him. As he approached Guzman, he immediately smelled a strong odor of alcohol emitting from his body. He also saw that Guzman had a large amount of blood on his face and right hand. As he neared Guzman, Guzman pushed him off the porch with his right hand. After pushing him away, Guzman turned left and began running

away. Suspect Guzman ran toward a chain link fence east of the front yard where Deputy Iberri was standing. As Guzman reached the fence and before he could turn around, Deputy Iberri said that he grabbed him. As Deputy Iberri grabbed and pulled Guzman to the ground, Deputy Solis sprayed Guzman with a burst of his OC spray. After Deputy Solis administered the OC spray, they forced Guzman to the ground.

As Guzman lay face down, Deputy Iberri said that he was on top of him. He said that he was on Guzman's back trying to reach his hands. He recalls that Deputy Solis was standing to his left as he attempted to grab Guzman's hands. When he reached forward and attempted to grab Guzman's left hand, Guzman turned his head toward Iberri's arm and attempted to bite it. Seeing that Guzman was attempting to bite Iberri, Deputy Solis punched Guzman once in the face. After Deputy Solis punched Guzman, he sprayed him again with a burst of OC spray. The spray had little effect on Guzman as he continued to fight and struggle with them. At one point, Guzman attempted to regain his footing and stand up. Deputy Iberri added that they continued to direct orders for him to stop and put his hands behind his back. However, Guzman ignored them and continued struggling.

After Deputy Solis sprayed Guzman with OC, Guzman continued to struggle, and at one point raised his right elbow to a position where it appeared that he was preparing to strike Iberri. Believing that Guzman was about to elbow him in the face, Iberri hit him twice across his right elbow with his flashlight. After Guzman was struck, Guzman tucked his right arm under his body. Deputy Iberri said that the manner in which Guzman was concealing his hands underneath his body was consistent with someone hiding, or initiating the process of retrieving a weapon. Believing that Guzman was attempting to arm himself, Deputy Iberri said that he struck him twice with his flashlight on the right side of his body, in-between his ribs and his waistline.

> ***Investigator's Note:*** Deputy Iberri carries a standard three cell 20 XLS "Stream light" flashlight.

After Guzman was struck again with his flashlight, Guzman removed his right arm from underneath his body. As he revealed his right arm, Deputy Iberri grabbed and controlled it. While Iberri controlled his right arm, Guzman removed his left arm from underneath his body After removing his left arm, Deputy Solis was able to control it. As they controlled Guzman's arms, Deputy Iberri was able to place his handcuffs on Guzman's wrists. After Guzman was handcuffed, they rolled him onto his left side because he indicated he was having difficulty breathing. After he was rolled over, Deputy Iberri noticed again that Guzman was bleeding. During the incident, he recalls that Deputies Fernandez and Gasataya were also present, however because he was involved with trying to control Guzman, he did not witness any force used by the other deputies.

After Guzman was controlled and handcuffed, he recalls that one of the other deputies requested fire and paramedic personnel respond to the location and treat the suspect for his injuries. Shortly after being called, Compton fire personnel responded to the location and began treating Guzman. Deputy Iberri recalls Guzman was sitting up and talking to the paramedics. The paramedics treated him and prepared him for transport to the hospital.

While they were waiting for the ambulance, he recalls that Guzman was communicating with him and the paramedics. When the ambulance arrived, Guzman was placed on a Gurney and loaded into the ambulance. After Guzman was placed in the ambulance, Deputy Garcia entered the rear of the ambulance to accompany him during the ride to the hospital. About midway to the hospital, the ambulance activated its overhead red lights and siren. Deputy Iberri said when they arrived at the hospital, he asked Deputy Garcia why the ambulance driver activated his lights and siren. Deputy Garcia told him that Guzman had stopped breathing and the paramedics had administered CPR on him.

When Guzman was wheeled into the emergency room, he was breathing on his own and appeared to be conscious. Deputy Iberri also said that the emergency room doctor told him that Guzman never stopped breathing and he wasn't quite sure why the paramedics choose to initiate CPR. Deputy Iberri stated that the force he used against Guzman was reported to Sergeant Rodriguez and subsequently to Lieutenant Dendo.

Deputy Walter Solis reiterated basically the same information which was provided by Deputy Iberri. Deputy Solis provided the following additional information:

Deputy Solis told Internal Affairs Bureau investigators that on November 21, 2002, he was assigned to Compton Sheriff's Station as Unit 281T3. At approximately 1600 hours, he responded to a hit and run call at Holly and Myrrh. As he was driving to the location, he heard via his unit's radio that another Compton unit had arrived at the location. He recalls that the unit at the scene was broadcasting a description of the suspect vehicle (gray 1986 Cadillac El Dorado). As he was driving south on Holly Street, he saw the vehicle parked at [redacted]. He saw that the vehicle had major traffic collision damage to the front grill, bumpers and hood. He also saw that smoke was emitting from the engine compartment and that no one was in the vehicle. He advised SCC via his unit's radio that he had located the vehicle and that the suspect was outstanding.

Several minutes later, Deputy Fernandez arrived at the location with a witness. He recalls that the witness positively identified the vehicle as the one involved in the felony hit and run. The witness also told them that she had seen the suspect, a male Hispanic wearing a white tank top T-shirt and dark pants run toward and possibly into one of the houses. As he, Deputy Fernandez and Iberri approached the location, the residents directed them to the backyard. When they reached the backyard, the residents advised them that the suspect had jumped several walls and had run east through the yards. At that point, he and Deputy Iberri began tracking the suspect east based on the information provided. While they were tracking the suspect, the residents in the adjoining backyards continued to provide them with the direction the suspect was last seen running.

When they were at the east/west alley between Locust Avenue and Thorson Avenue, just north of Compton Blvd., Solis saw a male Hispanic who matched the description of the suspect run south across Compton Blvd., and into 2200 E. Compton Blvd. (Mi Estrellita Restaurant). He advised Deputy Iberri and Deputy Gasataya (who had arrived at the location in his radio car) that the suspect had just run into the restaurant. They crossed the street and entered the restaurant. As they entered the restaurant, employees and patrons

in the restaurant stated that the suspect had exited the restaurant through the rear door. They ran to the back of the restaurant and noticed that the rear door was open.

They exited the restaurant and ran south on Thorson. As they continued to run south on Thorson, again several residents pointed and directed them in the direction they last saw the suspect running. While tracking the suspect, Deputy Solis said that he could hear dogs barking in the distance as if they were agitated. He and Deputy Iberri then went in the direction of the barking dogs (east). They followed the sound of the barking dogs, which lead them to the rear of a residence. As they reached the backyard, they saw the suspect. Upon seeing the suspect, Deputy Iberri ordered him to stop. The suspect looked at them, appearing to hear the order, however he chose to continue running away from them. As the suspect ran, they jumped two additional walls to catch up with him. They finally caught up with him at [redacted] Harris Avenue.

> ***__Investigator's Note:__*** The suspect was later identified as John Castro Guzman MH/27 D.O.B, 11-13-1975

As they turned the corner of the location, they saw Guzman "yanking" on the security screen to the front door of the location. It appeared that he was attempting to force his way into the residence. While observing Guzman, Deputy Solis saw that he had blood on his face and his right arm. He recalls that Deputy Iberri approached Guzman and when he was in close proximity, Guzman turned and with his right hand pushed Deputy Iberri on his chest. After pushing Deputy Iberri, Guzman ran toward a chainlink fence. When he reached the fence, he attempted to climb it. Seeing that the suspect was attempting to continue his flight and evade capture, Deputy Iberri grabbed and pulled him away from the fence. As Deputy Iberri grabbed Guzman, Deputy Solis sprayed him one time with a one second burst of his "Freeze +P" OC spray. The burst of the spray was applied to, and landed on Guzman's face. The spray appeared to have little effect on Guzman as he continued to resist and fight. Solis and Deputy Iberri forced Guzman face down to the ground by grabbing his arms. Deputy Solis said that he was on the Guzman's left side and Deputy Iberri was on his left side.

Once Guzman was on the ground, Deputy Iberri attempted to grab his left arm, however he stopped short of controlling his arm because Guzman attempted to bite Deputy Iberri's left arm. Seeing that Guzman was attempting to assault Deputy Iberri, Deputy Solis punched Guzman once in the face with his right hand. After punching Guzman, he sprayed him with a second one second burst of his "Freeze +P OC Spray." As with the first burst of spray, this one also was administered to Guzman's face.

While Guzman continued to struggle and resist, both he and Deputy Iberri continued to order him to stop. Guzman continued to struggle and at one point threw his right elbow toward them. As he threw his elbow, Deputy Solis said he struck Guzman twice in the face. He said that he hit him with his left-hand first, and then his right-hand. He believes his punches landed on the left side of Guzman's face. During this time, he recalls seeing Deputy Iberri strike Guzman's right elbow once with his flashlight. He added that Deputy Gasataya kicked Guzman once in the rib cage area on the right side of his body.

As Guzman continued to fight and resist, he (Guzman) "tucked" his hands underneath his body. It appeared that he was attempting to conceal something in his waist area. As he lay on the ground with his hands concealed under his body, Deputy Fernandez ordered him to remove his hands. Guzman refused to show his hands, so Deputy Fernandez punched him three times on the face with his closed fist. After Deputy Fernandez punched him, he said that Guzman slowed his resistance and Deputy Iberri and Fernandez were able to control his arms and place handcuffs on his wrists. After Guzman was handcuffed, he was rolled over from a prone position, to his side. Deputy Solis said that Guzman complained of eye irritation and discomfort. Compton fire and paramedic's personnel were requested to respond to the scene and treat him for his injuries. Several minutes later, Compton fire and paramedic personnel arrived and treated Guzman. Deputy Solis stated that the forced he used was reported to Sergeant Rodriguez.

Deputy Gabino Gasataya reiterated basically the same information as Deputies Iberri and Solis, however he added the following:

Deputy Gasataya told IAB investigators that at approximately 1600 hours on November 21, 2002, he was monitoring his radio when he heard SCC broadcast that a felony hit and run had just occurred in Compton's area. Shortly after hearing the radio call, he recalls Deputy Fernandez advising that he had arrived at the location, and there was a child trapped in a vehicle. Several minutes later, he heard Deputy Solis advise that he had found the suspect's vehicle and it was parked in front of [redacted]. He recalls that Deputy Solis advised that the vehicle was unoccupied. He responded to Deputy Solis' location to assist him with the investigation.

> **<u>Investigator's Note:</u>** Deputy Gasataya is assigned to Compton Station as a Special Assignment Officer. His assigned uniform is a green Los Angeles County Department polo shirt and jeans.

When he arrived at [redacted], he saw that Deputies Solis, Iberri and Fernandez were there. He learned from Deputy Solis that one of the homeowners told him that the suspect ran east from the rear of the location to Locust Avenue and out of view. He told Deputy Solis that he would check the yards on Harris Avenue, and contain the area in the event that the suspect was still in nearby. He parked his radio car on Harris and checked the area for the suspect. While looking for the suspect, Deputy Iberri contacted him and told him that a witness saw the suspect running in the other direction. While checking the area on Harris, another witness informed him that she saw the suspect run through the alley just north of Compton Boulevard between Thorson and Harris.

After receiving this information from the witness, Deputy Gasataya advised Deputy Solis and Iberri of the suspect's last direction. He and Deputies Iberri and Solis began tracking the suspect through the alley. At about midway through the alley, Deputy Solis yelled, "Hey there he is." Deputy Solis saw the suspect running across Compton Boulevard. As they ran toward the suspect, Deputy Solis told Deputy Gasataya to go back and get his car. Deputy Gasataya said that he ran back and drove his car to a restaurant where the suspect had

entered. He parked his car in front of 2200 E. Compton Boulevard, "Mi Estrellita" restaurant.

After parking his car in front of the location, Deputy Gasataya followed Deputies Iberri and Solis into the restaurant. Prior to entering the restaurant, Deputy Fernandez turned to him and told him that the suspect had run out the back of the location. Rather than entering the restaurant, he followed (on foot) Deputy Fernandez south on Thorson and then east through the alley between Thorson and Harris, just east of Compton Boulevard. As Deputy Gasataya and Fernandez ran through the alley, he could not see the suspect, but continued to run in that direction because all indicators lead them to believe that the suspect had run in the same direction. He continued to run south on the east sidewalk of Thorson Avenue. As he passed the east/west alley of Thorson, he heard dogs barking and the sound of a chainlink fence rattling. The sounds of the dogs barking and the fence rattling came from the east.

As Deputy Gasataya stopped and listened, he also heard the voices of Deputy Iberri and Solis yelling at the suspect to stop. He heard them order him to stop several times. Deputy Gasataya said at that moment, he turned around and ran north on Thorson toward Deputy Iberri and Solis' voices. He ran through the east/west alley between Thorson Avenue and Harris Avenue. While running east, he saw a female, later identified as [redacted] who lives at [redacted] As he approached Ms [redacted], she was pointing toward her residence. She told him, "Hey, there's a man right there running." He said that he looked toward the residence and did not see anyone. He added that he could still hear Deputies Iberri and Solis yelling at the suspect to stop. He said that it appeared by the sound of the deputies voices that they were headed in his direction.

> ***Investigator's Note:*** The suspect was later identified as John Castro Guzman MH/27 D.O.B, 11-13-1975

Seconds after hearing the deputies yelling for Suspect Guzman to stop, Deputy Gasataya saw him climbing over the west wall of Ms [redacted] property. As soon as Guzman reached the other side of the wall, he immediately drew his duty weapon, pointed it at Guzman and ordered him to stop. He said that Guzman appeared to be startled and ran toward Ms. [redacted] front door. When he reached the door, he forcibly attempted to enter the location to avoid capture. Deputy Gasataya continued to order Guzman to stop, but Guzman failed to submit to his orders.

> **Investigator's Note:** Deputy Gasataya was separated from Suspect Guzman by a chainlink fence which was covered by a green plastic covering. The plastic covering covered the entire width of the fence with the exception of a few openings.

As he continued to yell for Guzman to stop, Deputy Gasataya saw Deputy Iberri climb over the fence and enter the yard. Deputy Gasataya said that he positioned himself next to the fence in the event that Guzman attempted to climb it and run in his direction. As he stood there, he could hear Deputies Iberri and Solis yelling at Guzman to get down on the ground

and stop pulling at the door. Guzman continued to ignore their orders. As Deputy Gasataya maintained his position, Guzman moved away from the door and into a position where Deputy Gasataya could not see him. Deputy Gasataya said that he could hear a struggle between Deputies Iberri, Solis and Guzman. Deputy Gasataya could hear the deputies ordering Guzman numerous times to stop resisting and get down on the ground. From his position, it appeared that Guzman continued to ignore their orders. As Deputies Iberri and Solis were struggling with Guzman, he saw Deputy Fernandez run toward the chainlink fence and open it. After Deputy Fernandez opened the gate, Deputy Gasataya followed him into the front yard of [redacted] Harris Avenue.

When he entered the yard, he saw Deputy Iberri on top of Guzman attempting to hold him down. Deputy Iberri had his chest on Guzman's lower back. Guzman was lying on his chest with his legs extended out from his body. He also saw that Guzman's left hand was underneath the lower part of his stomach and his right hand was underneath the front part of his neck, below his chin. As he approached Guzman, Deputy Gasataya yelled numerous times for Guzman to put his hands behind his back. He recalls that Deputies Iberri and Solis also continued to order Guzman to stop resisting and place his hands behind his back. Guzman continued to fight and resist, ignoring their orders. As he continued to fight and resist, he saw Deputy Iberri strike him on the lower waist area twice with his flashlight. After Deputy Iberri struck him, Guzman yelled, "fuck you mother fucker," and began kicking his legs in an effort to regain his footing to stand up. He added that while Guzman was resisting and refusing to comply, Deputy Fernandez struck him a couple of times on the right side of his face with his fist.

As Guzman continued to resist, he and the other deputies repeatedly ordered him to show his hands, place them behind his back and to stop resisting. At one point Deputy Gasataya said that he could not see Guzman's hands. He said because of Guzman's constant refusal to remove them from beneath his body, he believed that Guzman was possibly retrieving a weapon. Because Deputy Gasataya was unable to see Guzman's left had, he kicked him once on the right side of his body near his ribs. After Deputy Gasataya kicked him, Guzman removed his hands from underneath his body and began to submit to their requests. Guzman placed his hands behind his back and deputies were able to handcuff him. Deputy Gastaya said that he does not recall specifically who handcuffed Guzman. He added that even after Guzman was handcuffed, he continued to yell obscenities at them.

Deputy Gasataya stated that during the course of the incident, Guzman was belligerent and he could smell a strong odor of alcohol emitting from his breath and person. He said that he could also smell the odor of OC emitting from Guzman's body. He added that although he could smell the odor of OC emitting from his Guzman's body, he did not see which deputy administered the spray.

After Guzman was placed under arrest, Deputy Gasataya stated that the force he used was reported to Sergeant Parker and Sergeant Rodriguez. He also stated that he requested Compton Fire and ambulance personnel respond to the location regarding the OC spray administered on Guzman. He also wanted the medical personnel to treat

Guzman for cuts on his face. He said that prior to contacting Guzman, he was unaware that he had sustained an injury to his face.

Deputy Max Fernandez reiterated basically the same information as Deputies Iberri, Solis and Gasataya, however he added the following:

Deputy Fernandez told IAB investigators that he responded to the location regarding a traffic accident with injuries call. As he and his partner (Deputy Barragan) arrived at the scene, several witnesses told them that the suspect had driven away from the scene north on Holly. He saw that several cars had been side swiped and sustained traffic collision damage. As he looked toward Myrrh and Holly, he saw that a green van had been tipped over onto its side. He and his partner responded to Myrrh and Holly and extracted the occupants from the van. As he was removing a female from the van, another female approached him and said, "I say the guy who did it, and I saw where he went." The female, witness ([redacted] F/B, [redacted], described the suspect driver as a male Hispanic with tattoos wearing a white T-shirt tank top. She also said that he was driving a gray Cadillac.

Witness [redacted] told Deputy Fernandez that the Suspect's Cadillac drove a short distance away from the scene and the driver exited and ran toward a house. He said that he advised the other units of the information he had received. A short time later he heard Deputy Solis advise that he had located the vehicle abandoned a short distance from where he was. At that point Deputy Iberri arrived at the scene. Deputy Fernandez said that he, along with Witness [redacted] and Deputy Iberri drove to the location where Deputy Solis found the vehicle. When they arrived, Ms. [redacted] indicated that the Cadillac parked at the location was in fact the same one which caused the accident. Ms. [redacted] also pointed to a house and said that the suspect ran toward that house. As they approached the house, several of the residents told them that the suspect had run into the back yard. Once the suspect reached the backyard, they said that he began jumping fences and running south.

Deputy Iberri and Deputy Solis began running south on Thorson, while Deputy Fernandez ran east through the alley just south of Compton Boulevard. He said that he moved in that position in an attempt to contain the suspect. As he positioned himself, he saw Deputy Iberri and Solis running across the street (south on Compton). He said that he also ran in that direction believing that they may have seen the suspect. As it turned out, a resident flagged the other deputies down and told them they saw the suspect run that way. Deputy Fernandez recalls that there were a lot of citizens telling them that the suspect had run in that direction (south). They continued tracking the path of the suspect, and ended up at Compton Boulevard and Thorson Street. Once again several witnesses pointed in the direction where the suspect was last seen. Deputy Solis and Iberri ran south on Thorson and Deputy Fernandez ran east to the next street, which was Harris Avenue. During their tracking of the suspect in this area, their efforts lead them to Mi Estrellita Restaurant. As they checked the restaurant, again they were directed to where the suspect was last seen.

> ***Investigator's Note:*** The suspect was later identified as John Castro Guzman MH/27 D.O.B, 11-13-1975

As Deputy Fernandez was standing at the end of the alley on Harris, he heard Deputy Iberri yell, "Get down on the ground." Deputy Fernandez said that he immediately turned toward the sound of Deputy Iberri's voice and ran in that direction. As he arrived at the front of [redacted] Harris, he saw through the chainlink fence, a male Hispanic, matching the description of the felony suspect pushing Deputy Iberri off the front porch of the location with his open right hand. He said that Deputy Iberri fell off the porch. He ran toward the opening of the gate. As he entered the front yard, he saw Deputy Iberri struggling to pull Guzman off the fence. As Guzman continued to struggle, he saw Deputy Solis apply approximately a one second burst of his "Freeze +P" OC spray to his face. He said that the spray appeared to have no effect on Guzman as he continued to resist. Deputy Fernandez said Guzman had an enraged look on his face and growled and snarled at the deputies. His eyes were bloodshot and watery. He added that Guzman was grinding his teeth and appeared angry. He also saw that Guzman was bleeding from what appeared to be the bridge of his nose.

After applying the "Freeze +P" OC spray, Deputies Iberri and Solis forced Guzman down on the ground. As Deputy Fernandez approached to assist with handcuffing Guzman, he could see that Guzman was violently resisting the deputies by swinging both arms and kicking his feet. Deputy Fernandez said he attempted to grab Guzman's left arm but he pulled it away. As Guzman pulled his arm away, Deputy Fernandez said to overcome his resistance he punched Guzman once with his left fist on the right side of his face. After Deputy Fernandez struck him, Guzman tucked his arm beneath his waist area. Because Guzman had not been searched, and the possibility of him retrieving a weapon from his waist area was high, Deputy Fernandez again attempted to grab his left arm. As he pulled on Guzman's left arm and yelled for him to stop resisting, Guzman continued to resist by pulling his left arm inward toward his waistband. Thus preventing the deputies from handcuffing him.

In order to overcome his continued resistance, and keep Guzman from arming himself with a weapon, Deputy Fernandez punched Guzman four additional times on the left side of his face and shoulder with his right fist. As a result, Guzman removed his arms from beneath his body long enough for Deputy Iberri to place handcuffs on him. After Guzman was placed under arrest, Deputy Fernandez stated that the forced he used was reported to Sergeant Parker and Sergeant Rodriguez. The force was subsequently reported to Lieutenant Dendo by Sergeant Rodriguez.

WITNESSES' STATEMENTS:

Sergeant John Rodriguez told IAB investigators that at approximately 1630 hours on November 21, 2002, Deputy Solis requested via the L-TAC that he respond to Harris Avenue, south of Compton Boulevard. He recalls that Deputy Solis wanted him to respond to that location due to an earlier hit and run call. The felony hit and run call involved a male who had been involved in a traffic collision and fled the scene. Sergeant Rodriguez advised SCC that he was proceeding to Deputy's Solis' location.

When he arrived at the location, he saw several radio cars and deputies in the alley adjacent to Harris Avenue. He saw the suspect John Guzman handcuffed and kneeling down in the front yard of [redacted] S. Harris Avenue. Suspect Guzman was also being treated by paramedics, presumably from the effects of OC spray. As Suspect Guzman received treatment from the paramedics, Deputy Solis approached him and advised him of the forced used to apprehend Suspect Guzman.

Deputy Solis told him the following:

Deputy Solis told him that he had received a call of a hit and run where the suspect had fled the scene prior to their arrival. The suspect's vehicle was left at the location and several citizen witnesses advised the deputies that they saw the suspect running down Compton Boulevard. The witnesses provided the deputies with a description of the suspect, (Male Hispanic wearing a white tank top and black pants). Deputy Solis said that they canvassed the area, and a short time later saw the suspect running across the street toward an alley.

Deputy Solis told Sergeant Rodriguez that he saw the suspect run through a couple of yards and over a few fences. The suspect then ran into a restaurant and out the back door. All this time, he and several other deputies were tracking the suspect (Guzman). After exiting through the rear door of the restaurant, Suspect Guzman continued to run into an alley. When Deputy Solis and the other deputies found Suspect Guzman, he was attempting to break into the house located at [redacted] Harris Avenue. As Suspect Guzman banged and kicked the front door of the location, Deputy Solis told Sergeant Rodriguez that they ordered Guzman to stop, and lie down. Deputy Solis told him that Deputy Iberri approached Suspect Guzman and ordered him to place his hands behind his back. As Deputy Iberri made contact with Suspect Guzman, Guzman pushed him back and away. He said that Suspect Guzman pushed Iberri in the chest, causing him to momentarily lose his balance. At that point Deputy Solis told Sergeant Rodriguez that the other deputies who arrived assisted Deputy Iberri with handcuffing Suspect Guzman.

Deputy Solis told Sergeant Rodriguez that during the struggle with Suspect Guzman, he administered two bursts of OC spray to Suspect Guzman's facial area. He also told him that he punched Guzman in the face three times with his fist. Deputy Solis indicated that Guzman resisted arrest by fighting violently (punching, kicking biting). In an effort to overcome his resistence, Deputy Solis sprayed Guzman with OC and punched him in the face. As a result of punching Guzman, Deputy Solis told Sergeant Rodriguez that he had injured one of his fingers on his left hand.

After Speaking with Deputy Solis, Sergeant Rodriguez contacted Deputy Iberri. As he did with Deputy Solis, he asked Deputy Iberri what happened and Deputy Iberri told him the following:

Deputy Iberri described the incidents which lead to the contact with Suspect Guzman the same as Deputy Solis. Deputy Iberri added that he struck Suspect Guzman with his flashlight in the area of his waist on the right side of his body. Deputy Iberri also told

Sergeant Rodriguez that he struck Guzman on his right elbow twice with his flashlight. Deputy Iberri indicated that Guzman resisted arrest by fighting violently (punching, kicking biting). In an effort to overcome his resistence and to protect himself, he struck him with his flashlight.

After Speaking with Deputy Iberri, Sergeant Rodriguez contacted Deputy Fernandez. As he did with Deputy Solis and Iberri, he asked Deputy Fernandez what happened and Deputy Fernandez told him the following:

Deputy Fernandez described the incidents which lead to him contacting Suspect Guzman the same as Deputies Solis and Iberri. Deputy Fernandez added that he struck Suspect Guzman several times in the face and once on the right shoulder area. All his blows were made with his closed fist. Deputy Fernandez indicated that Guzman resisted arrest by fighting violently (punching, kicking biting). In an effort to overcome his resistence and to protect himself, he struck Guzman with his fist.

After Speaking with Deputy Fernandez, Sergeant Rodriguez contacted Deputy Gasataya. As he did with Deputy Solis, Iberri and Fernandez, he asked Deputy Gasataya what happened and Deputy Gasataya told him the following:

Deputy Gasataya reiterated the same information which Deputy Solis, Iberri and Fernandez provided. Deputy Gasataya added that he kicked Suspect Guzman once in the right rib area. Deputy Gasataya indicated that Guzman was resisting arrest by fighting violently (punching, kicking biting). In an effort to overcome his resistence and to protect himself, he kicked him once.

After speaking with Deputy Gasataya, Sergeant Rodriguez contacted Suspect Guzman. Suspect Guzman told him the following:

When Sergeant Rodriguez asked Guzman his name, Guzman told him that he couldn't remember his name. Sergeant Rodriguez said that Guzman told him that he couldn't remember driving, or having a car. Guzman told him that the deputies, "kicked his ass." Guzman also told him, "look at my face." He saw that Guzman was bleeding from his nose and had slight contusions around his eyes. At that point, Guzman did not complain about any other injuries. During his conversation with Suspect Guzman, Sergeant Rodriguez smelled a strong odor of alcohol emitting from Guzman's body. It was obvious by Guzman's slurred speech, unkept and disheveled clothing and his unsteady gait that he was under the influence of alcohol. Although Guzman appeared to be under the influence of alcohol, he also appeared to be coherent enough to understand what was happening. When asked why he ran from the deputies, Guzman told him that he was in a bar minding his own business, got scared and ran.

Sergeant Rodriguez also spoke with Witness #1 [redacted] who owns a business at [redacted]. Mr. [redacted] told him that he witnessed the capture of Suspect Guzman. Sergeant Rodriguez said that Mr [redacted] told him that he believed the deputies used the proper and appropriate amount of force. He believed the force was

necessary in order to capture the suspect. Mr. [redacted] told Sergeant Rodriguez that the suspect was acting extremely violent, kicking and punching at the deputies. He told Sergeant Rodriguez that the deputies did not use excessive force, and that the suspect's actions of being violent forced the deputies to use force. He said at one point he also saw the suspect attempt to bite one of the deputies.

Sergeant Rodriguez also spoke with [redacted] who lives at [redacted]. Ms. [redacted] told him that the suspect was attempting to get into her house at [redacted]. She said she was standing in the alley when she saw the suspect run toward her property. She said that the suspect attempted to gain entry into her home by pounding on the front door. Shortly thereafter, she saw Sheriff's deputies chase the suspect a short distance. After chasing the suspect, she saw the suspect refuse to submit to the deputies by fighting with them. She said that the suspect was violently swinging, punching and kicking at the deputies. She said that the deputies ordered him several times to stop and placed his hands behind his back, but the suspect refused to do so and continued to fight. At one point, she saw the suspect attempt to bite one of the deputies on the arm. Sergeant Rodriguez added that Ms. [redacted] also told him she believed that the deputies used the proper amount of force to stop and control the suspect.

[redacted] told IAB investigators that he owns a business at [redacted]. He said that he was preparing to leave his [redacted] when heard a disturbance coming from the rear of the location. He saw Sheriff's deputies attempting to apprehend a male Hispanic who was running from them. He said that the male ignored all the orders directed at him by the Sheriff's deputies. He said deputies ordered the suspect at least twenty times each to "stop," "get his hands up" etc. Witness [redacted] said the force used by the deputies was appropriate as the suspect was in a state of "fright and flight" and wasn't going to stop or listen to any orders.

Mr. [redacted] stated that the suspect was punching and kicking at the deputies and obviously refusing to comply. He said that when the deputies were attempting to hold the suspect down, the suspect moved his head toward one of the deputies in an apparent attempt to bite him. He said that he did not see the deputies spray OC on the suspect, but added that if the deputies did use OC spray, his behavior was such that it warranted it. He said that it appeared that the suspect was either under the influence of drugs or alcohol or possibly both. His behavior was totally uncooperative and violent. He added that he believes deputies should be issued protective gloves because of their exposure to this suspect's bodily fluid and the attempt he made to bite them.

[redacted] told Compton investigators that she lives at [redacted] California [redacted]. She said that she saw the suspect running on Thorson Avenue with Sheriff's deputies chasing him. She said that the suspect hopped the fence which leads into her yard. After the suspect hopped the fence, she saw him attempting to get into her house by pulling at the door. She said it appeared to her by the way the suspect was running from the deputies that he was attempting to evade arrest. She said that some of the deputies were still on the other side of the fence and couldn't get in. Ms. [redacted] said that she walked to the front gate and opened it for them.

After opening the gate, she said a deputy directed her to step to the side. She walked away from the open gate and the front porch. She was standing outside of her house when the suspect approached her front door and attempted to enter her residence. She said when the deputies approached the suspect on her front porch, he fought with them. She described the fighting as the suspect kicking and punching the deputies. She did not see the deputies strike or punch the suspect. She said that it was clear to her that the suspect did not want the deputies to handcuff him. After struggling with the deputies, they were able to control him and handcuff him.

Doctor [redacted] told Compton Sergeant Rodriguez that he treated Suspect John Castro Guzman Mendoza in the emergency room of Saint Francis Medical Center. He indicated that Mr. Guzman's injuries consisted of abrasions, bruises and cuts to his face. His nose had a ½ laceration on its bridge, and his forehead and eyes were red and swollen. The types of injuries on his face were consistent with someone having been involved in an auto accident, or sustaining some other type of facial trauma. A CAT Scan was conducted and revealed no head trauma, or damage to the brain. Dr. [redacted] also told Sergeant Rodriguez that Mr. Guzman had several areas of redness on his back which appeared to be bruised. The left lower portion of his stomach had two, 2" lacerations. Mr. Guzman also had upper chest injuries which Dr. [redacted] indicated were also consistent with having been involved in an auto accident. Dr. [redacted] said that Mr. Guzman was never unconscious during his treatment at the hospital, however he did admit him for observation only due to his injuries. Dr. [redacted] added that when Mr. Guzman was first brought into the emergency room, he smelled of alcohol. He recalls that Mr. Guzman was belligerent and uncooperative toward the medical staff. His behavior and demeanor were consistent with someone under the influence of alcohol.

SUSPECT'S STATEMENT:

> ***Investigator's Note:*** Suspect John Guzman's interview was conducted by Sergeant Rodriguez of Compton Station. The interview was video taped. It should be noted that Suspect Guzman's appearance was disheveled and in disarray. Suspect Guzman's speech was slurred, his eyes were watery and his gait was unsteady. It appeared that Suspect Guzman was under the influence of alcohol. Suspect Guzman's T-shirt was ripped by his left shoulder. His face was bloody from cuts and scratches.

Suspect John Guzman, Bkg. #7489570, initially told Compton Field Sergeant Rodriguez that he did not know what happened. When asked why he ran from the deputies, he said that he didn't run. He said that he was in a restaurant and the deputies tried to talk to him about a car wreck. He got scared and ran from them. He said after he ran, the deputies caught up with him and "beat his ass." He said that one of the deputies hit him on the right side of his head next to his eye. He denied attempting to bite one of the deputies and denied fighting and struggling with the deputies. He also denied that he resisted the deputies when they attempted to stop, control and handcuff him.

Suspect Guzman stated that the deputies struck him with their fists, flashlights and kneed him. He said that he was also sprayed with OC two times in his face. When asked if he had been drinking, he answered "no." When asked where he lived he said that he could not remember. When asked when his birthday was, he stated that he could not remember. During the interview, Suspect Guzman repeatedly complained that his head hurt. At the conclusion of the interview, Sergeant Rodriguez advised him that he was going to be transported to the hospital.

Miscellaneous Information

- According to the blood alcohol test performed on Suspect Guzman's blood, it revealed that his Blood Alcohol Content was [redacted]. The fact that his BAC was [redacted], may have contributed to his violent behavior.

- The original "Hit and Run " call was dispatched at 1600 hours. Several of the units arrived at the scene at 1604 and 1607 hours. During the initial stages of the incident, Deputies Iberri, Fernandez, Gasataya and Solis were assisting with the hit and run. When it was brought to their attention that the suspect's vehicle may have been located, they changed their focused. Between 1607 hours and approximately 1625 hours they responded to the location where the Guzman's vehicle was abandoned, and began tracking the Suspect Guzman based on witness information. At approximately 1630 hours, Guzman was seen entering a location at 2200 E. Compton Blvd. The suspect exited the rear of the location and the Deputies continued to track him. After traveling a short distance (less than 1/4 of a mile) Suspect Guzman was apprehended in the front yard of [redacted] Harris Avenue. Sergeant Rodriguez was requested to responded to the location at approximately 1643 hours. The total time of the incident, including assisting with the hit and run, responding to the location where Guzman's vehicle was abandoned, following witness directions and tracking Suspect Guzman, watching Guzman flee into 2200 E. Compton Blvd., and eventually being apprehended at [redacted] Harris Avenue was approximately thirty-nine minutes.

- A check of SCC's recording log revealed that there was no Dispatch or L-Tac traffic initiated.